

Plaintiff wrote to the Court on October 31, 2023 “withdrawing [his] motion to stay” and requesting that the court “reset a briefing schedule” for summary judgment on the FOIA exemption issue. (Dkt. No. 39). The Government opposed this request, asking the Court to hold summary judgment briefing in abeyance until a decision was rendered on its motion to dismiss. (Dkt. No. 40).

The Court denies Plaintiff’s request for the Court to reset a summary judgment briefing schedule. Summary judgment motion practice will be held in abeyance until the Government’s motion to dismiss, which is now fully briefed (Dkt. Nos. 38 & 41), is resolved.

Furthermore, in light of Plaintiff’s representation that he is withdrawing his motion to stay this proceeding, **the Clerk of Court is respectfully requested to terminate the motion at Docket No. 28 as withdrawn.**

The Clerk of Court is further requested to send a copy of this Order to the *pro se* Plaintiff.

SO ORDERED.

DATED: New York, New York
January 24, 2024

A handwritten signature in black ink, appearing to read "Gary Stein", is written over a horizontal line.

GARY STEIN
United States Magistrate Judge